

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 3:07-00453
)	JUDGE ECHOLS
One 2003 Hummer H2,)	MAGISTRATE JUDGE BROWN
VIN: 5GRGN23U63H100439)	
)	
Defendant.)	

AGREED DECREE OF FORFEITURE

On April 30, 2007, the United States filed a Verified Complaint for Forfeiture (D. E. 1) against the 2003 Hummer H2 VIN: 5GRGN23U63H100439 ("defendant property") seeking its forfeiture pursuant to 21 U.S.C. § 881(a)(4) because it was used or intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession or concealment of a controlled substance in violation of 21 U.S.C. § 841(a)(1).

It appearing that process was fully issued in this action and returned according to law;

That pursuant to the Warrant and Summons for Arrest of Articles *In Rem* issued by the Court on May 18, 2007, all persons claiming an interest in the defendant property were required to file a Verified Statement of Interest with the Clerk of Court no later than thirty (30) days after the date of service of the complaint or, as applicable, the date of final publication of the notice of forfeiture and to serve and file an answer within twenty (20) days after the filing of the claim as provided by Rule C(6)(a) of the Supplemental Rules for Certain Admiralty and Maritime Claims, Federal Rules of Civil Procedure (D.E. 4);

That on June 23, 2007 and June 28, 2007, respectively, DeShawn Wentz and Samuel Wentz (“Claimants”) received service through certified mail and their attorney of record, Michael D Noel, of the Verified Complaint for Forfeiture and the Warrant and Summons for Arrest of Articles *In Rem*;

That on June 15, 2007, the defendant property was served with a copy of the Verified Complaint for Forfeiture and the Warrant and Summons for Arrest of Articles *In Rem* (D E 5);

That on November 1, 2007, Claimants filed an Answer to the Verified Complaint (D E. 8);

That said forfeiture action was published by *The City Paper* for three consecutive weeks with the last publication date on July 9, 2007 (D.E. 8);

That DeShawn Wentz and Samuel Wentz do not contest the forfeiture of the defendant property and agree to an expedited settlement and waiver of their claims as it is in their best interest.

Now, therefore, it is hereby ORDERED, ADJUDGED AND DECREED that the settlement terms as set forth in the expedited settlement agreement re approved by this Court; that the defendant property shall be forfeited to the United States and shall immediately be sold at auction on Tuesday, March 18, 2008 or the soonest possible date. The court finds that based on the sworn affidavit to the complaint for forfeiture in Rem (D.E. 2) there is a preponderance of the evidence for the forfeiture of the defendant property; that there is a substantial connection between the defendant property and the offense; and that the defendant property shall be forfeited to the United States with no right, title or interest existing in any other person or entity. The United States Marshals Service is further directed to dispose of the defendant property according to law, with the net proceeds, after deduction of any costs incurred in relation to the seizure or forfeiture of the Defendant property, to be paid to Citifinancial Auto 7958 S. Chester Street, 2nd Floor,

Englewood, Colorado 80112, and any remaining proceeds be deposited into the Asset Forfeiture Fund and further disbursed according to law.

The entry of this order shall serve as the final judgment in this action.

Dated on this, the 17 day of March, 2008.

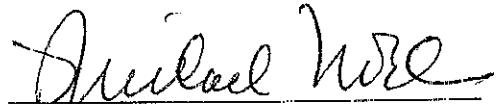


JUDGE ROBERT ECHOLS
United States District Court

APPROVED FOR ENTRY:

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